

Date: 1/14/2011 Judge: ELLIS  
 Time: 12:00 to 1:01

Reporter: M.Rodriguez  
 Interpreter: Erin Gaston-Owen; Eva Desrosiers  
 Language: Spanish

UNITED STATES of AMERICA  
 Vs.

Luis Alberto Napan  
 Defendant's Name

1:10cr384  
 Case Number

Jerry Phillips  
 Counsel for Defendant

Andrew Peterson, Scott Nussbaum  
 Counsel for U.S.

Matter called for:

☒ Motions ☐ Setting Trial Date ☐ Change of Plea Hrg. ☐ Plea  
☐ Arraignment ☐ Appeal from USMC ☐ Sentencing ☐ Rule 20 & Plea  
☐ Probation/Supervised Release Hrg. ☐ Pre-Indictment Plea ☐ Other: \_\_\_\_\_

Defendant appeared: ☒ in person  
☒ with Counsel ☐ without Counsel ☐ through counsel

Filed in open court:  
☐ Criminal Information ☐ Plea Agreement ☐ Statement of Facts ☐ Waiver of Indictment ☐ Discovery Order

Arraignment & Plea:  
☐ WFA ☐ FA ☐ PG ☐ PNG Trial by Jury: ☐ Demanded ☐ Waived

\_\_\_\_\_ Days to file Motions with Argument on \_\_\_\_\_ at \_\_\_\_\_.

Defendant entered Plea of Guilty as to Count(s) \_\_\_\_\_.

Motion for Dismissal of Count(s) \_\_\_\_\_ by U.S. ☐ by Deft.

☐ Order entered in open court ☐ Order to follow

Defendant directed to USPO for PSI: ☐ Yes ☐ No

Case continued to Thursday, January 20, 2011 at 3:00 PM for: ☐ Jury Trial

☐ Bench Trial ☐ Sentencing ☒ Evidentiary Hearing

US Rule 35 motion for reduction of sentence ☐ Granted ☐ Denied.

Sentence of \_\_\_\_\_ Months heretofore imposed is reduced to a term of \_\_\_\_\_.

Defendant ☐ Admits ☐ Denies violation of the conditions of probation/supervised release.

Court: ( ) finds ( ) does not find defendant in violation of conditions of probation/supervised release.

Defendant is committed to the custody of the US Atty general to serve a term of: \_\_\_\_\_ Months.

Govt adduces evidence: witnesses sworn and testified: USPO Inspector Stephen Tracey (Govt Exh 6A, 6B admitted); John

Bellis, CBP Officer. Govt will need further witness(es) to address supplemental filings by the deft; further evidentiary

hearing set on Thursday, 1/20/2011 @ 3:00 PM.

All Exhibits must be filed with the Clerk \_\_\_\_\_ days prior to trial.

Bond Set at: \$ \_\_\_\_\_ ☐ Unsecured ☐ Surety ☐ Personal Recognizance

☐ Release Order Entered ☐ Deft. Remanded ☐ Deft. Released on Bond ☐ Deft. Detained

Defendant is: ☐ In Custody ☒ On bond ☐ Summons Issued ☐ Warrant Issued

☒ CM/ECF ☐ JURY  
☐ USPO